



**United States District Court
OFFICE OF THE CLERK
Western District of Louisiana**

December 15, 2016

*300 Fannin Street, Suite 1167
Shreveport, LA 71101
318-676-4273*

Cook, Yancey, King & Galloway
Mr. Jason B. Nichols
333 Texas St., Ste. 1700
P. O. Box 22260
Shreveport, LA 71120-2260

Re: *5:12-cv-2738, Jeffrey Davis. V. Union Pacific Railway Company*

Dear Mr. Nichols:

Enclosed please find the original Bond, Bond No. 019051555, filed August 11, 2015, by Union Pacific Railroad Company in the above captioned matter. It has been cancelled as the case has concluded.

If you have any questions, please do not hesitate to contact me.

Sincerely,

TONY R. MOORE, Clerk of Court

BY: s/Ms. Trelvis Dunford
Deputy Clerk

RECEIVED

AUG 11 2015

TONY R. MOORE, CLERK
WESTERN DISTRICT OF LOUISIANA
SHREVEPORT, LOUISIANA
BY Sm

CANCELLED

SUPERSEDEAS BOND

UNITED STATES DISTRICT COURT WESTERN DISTRICT OF LOUISIANA

STATE OF LOUISIANA

LAW NO. 5:12-cv-02738

SHREVEPORT DIVISION

JEFFREY L. DAVIS, PLAINTIFF

BOND #019051555

VERSUS

UNION PACIFIC RAILROAD COMPANY, DEFENDANT

KNOW ALL MEN BY THESE PRESENTS, That we, Union Pacific Railroad Company as Principal, and Liberty Mutual Insurance Company, a Massachusetts corporation, as surety are held and firmly bound unto the United States District Court Western District of Louisiana-Shreveport Division in the amount of Six Hundred Ninety Thousand Two Hundred Ninety-----88/100DOLLARS (\$690,290.88) for the payment of which, well and truly to be made, we bind ourselves, our successors and assigns, jointly and severally, firmly by these presents.

WHEREAS, the said Union Pacific Railroad Company has petitioned the United States District Court Western District of Louisiana-Shreveport Division for the State of Louisiana for an appeal to said court of an action previously decided in United States District Court Western District of Louisiana-Shreveport Division court, wherein the said Union Pacific Railroad Company is Defendant, and being numbered 5:12-cv-02738 on the docket thereof;

NOW THEREFORE, the condition of this obligation is such that if the said Union Pacific Railroad Company shall pay all costs, disbursements and judgments incurred by reason of the said appeal proceeding, then this obligation shall be null and void and released, otherwise to remain in full force and effect, provided however, the maximum liability of the surety shall not exceed the penal sum of Six Hundred Ninety Thousand Two Hundred Ninety-----88/100DOLLARS (\$690,290.88).

IN WITNESS WHEREOF, Union Pacific Railroad Company as Principal and Liberty Mutual Insurance Company, as Surety, have hereunto set our hands this 5th day of August 2015

ATTEST/WITNESS

By: *Christina R. Koch*

Union Pacific Railroad Company

By: *Robert A. Paul*

Liberty Mutual Insurance Company

By: *Wayne G. McVaugh*
Wayne G. McVaugh, Attorney In Fact

THIS POWER OF ATTORNEY IS NOT VALID UNLESS IT IS PRINTED ON RED BACKGROUND.

This Power of Attorney limits the acts of those named herein, and they have no authority to bind the Company except in the manner and to the extent herein stated.

Certificate No. 6991656

American Fire and Casualty Company
The Ohio Casualty Insurance CompanyLiberty Mutual Insurance Company
West American Insurance Company**POWER OF ATTORNEY**

KNOWN ALL PERSONS BY THESE PRESENTS: That American Fire & Casualty Company and The Ohio Casualty Insurance Company are corporations duly organized under the laws of the State of New Hampshire, that Liberty Mutual Insurance Company is a corporation duly organized under the laws of the State of Massachusetts, and West American Insurance Company is a corporation duly organized under the laws of the State of Indiana (herein collectively called the "Companies"), pursuant to and by authority herein set forth, does hereby name, constitute and appoint, Annette M. Leuschner; Douglas R. Wheeler; Elizabeth Marrero; Jaquanda S. Martin; Marina Tapia; Mary C. O'Leary; Maureen McNeill; Patricia A. Rambo; Sara Owens; Wayne G. McVaugh

all of the city of Philadelphia, state of PA each individually if there be more than one named, its true and lawful attorney-in-fact to make, execute, seal, acknowledge and deliver, for and on its behalf as surety and as its act and deed, any and all undertakings, bonds, recognizances and other surety obligations, in pursuance of these presents and shall be as binding upon the Companies as if they have been duly signed by the president and attested by the secretary of the Companies in their own proper persons.

IN WITNESS WHEREOF, this Power of Attorney has been subscribed by an authorized officer or official of the Companies and the corporate seals of the Companies have been affixed thereto this 20th day of May, 2015.



STATE OF PENNSYLVANIA ss
COUNTY OF MONTGOMERY

On this 20th day of May, 2015, before me personally appeared David M. Carey, who acknowledged himself to be the Assistant Secretary of American Fire and Casualty Company, Liberty Mutual Insurance Company, The Ohio Casualty Insurance Company, and West American Insurance Company, and that he, as such, being authorized so to do, execute the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my notarial seal at Plymouth Meeting, Pennsylvania, on the day and year first above written.



COMMONWEALTH OF PENNSYLVANIA
Notarial Seal
Teresa Pastella, Notary Public
Plymouth Twp., Montgomery County
My Commission Expires March 28, 2017
Member, Pennsylvania Association of Notaries

American Fire and Casualty Company
The Ohio Casualty Insurance Company
Liberty Mutual Insurance Company
West American Insurance Company

By: David M. Carey
David M. Carey, Assistant Secretary

By: Teresa Pastella
Teresa Pastella, Notary Public

This Power of Attorney is made and executed pursuant to and by authority of the following By-laws and Authorizations of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company which resolutions are now in full force and effect reading as follows:

ARTICLE IV – OFFICERS – Section 12. Power of Attorney. Any officer or other official of the Corporation authorized for that purpose in writing by the Chairman or the President, and subject to such limitation as the Chairman or the President may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Corporation to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact, subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Corporation by their signature and execution of any such instruments and to attach thereto the seal of the Corporation. When so executed, such instruments shall be as binding as if signed by the President and attested to by the Secretary. Any power or authority granted to any representative or attorney-in-fact under the provisions of this article may be revoked at any time by the Board, the Chairman, the President or by the officer or officers granting such power or authority.

ARTICLE XIII – Execution of Contracts – SECTION 5. Surety Bonds and Undertakings. Any officer of the Company authorized for that purpose in writing by the chairman or the president, and subject to such limitations as the chairman or the president may prescribe, shall appoint such attorneys-in-fact, as may be necessary to act in behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations. Such attorneys-in-fact subject to the limitations set forth in their respective powers of attorney, shall have full power to bind the Company by their signature and execution of any such instruments and to attach thereto the seal of the Company. When so executed such instruments shall be as binding as if signed by the president and attested by the secretary.

Certificate of Designation – The President of the Company, acting pursuant to the Bylaws of the Company, authorizes David M. Carey, Assistant Secretary to appoint such attorneys-in-fact as may be necessary to act on behalf of the Company to make, execute, seal, acknowledge and deliver as surety any and all undertakings, bonds, recognizances and other surety obligations.

Authorization – By unanimous consent of the Company's Board of Directors, the Company consents that facsimile or mechanically reproduced signature of any assistant secretary of the Company, wherever appearing upon a certified copy of any power of attorney issued by the Company in connection with surety bonds, shall be valid and binding upon the Company with the same force and effect as though manually affixed.

I, Gregory W. Davenport, the undersigned, Assistant Secretary, of American Fire and Casualty Company, The Ohio Casualty Insurance Company, Liberty Mutual Insurance Company, and West American Insurance Company do hereby certify that the original power of attorney of which the foregoing is a full, true and correct copy of the Power of Attorney executed by said Companies, is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 5th day of August, 20 15.



By: Gregory W. Davenport
Gregory W. Davenport, Assistant Secretary

Not valid for mortgage, note, loan, letter of credit, currency rate, interest rate or residual value guarantees.

To confirm the validity of this Power of Attorney call 1-610-832-8240 between 9:00 am and 4:30 pm EST on any business day.



LIBERTY MUTUAL INSURANCE COMPANY
FINANCIAL STATEMENT — DECEMBER 31, 2014

| Assets | | Liabilities | |
|--|--------------------------------|--|--------------------------------|
| Cash and Bank Deposits | \$744,221,142 | Unearned Premiums | \$6,288,178,795 |
| *Bonds — U.S Government | 1,718,117,704 | Reserve for Claims and Claims Expense | 16,879,324,618 |
| *Other Bonds | 11,205,872,087 | Funds Held Under Reinsurance Treaties | 211,983,009 |
| *Stocks | 9,533,437,819 | Reserve for Dividends to Policyholders | 1,246,547 |
| Real Estate | 277,742,849 | Additional Statutory Reserve | 40,877,587 |
| Agents' Balances or Uncollected Premiums | 4,150,041,316 | Reserve for Commissions, Taxes and | |
| Accrued Interest and Rents | 129,261,358 | Other Liabilities | <u>2,664,248,124</u> |
| Other Admitted Assets | <u>14,896,464,393</u> | Total | \$26,085,858,680 |
| Total Admitted Assets | <u>\$42,655,158,668</u> | Special Surplus Funds | \$53,954,363 |
| | | Capital Stock | 10,000,000 |
| | | Paid in Surplus | 8,829,117,542 |
| | | Unassigned Surplus | 7,676,228,083 |
| | | Surplus to Policyholders | <u>16,569,299,988</u> |
| | | Total Liabilities and Surplus | <u>\$42,655,158,668</u> |



* Bonds are stated at amortized or investment value; Stocks at Association Market Values.
The foregoing financial information is taken from Liberty Mutual Insurance Company's financial statement filed with the state of Massachusetts Department of Insurance.

I, TIM MIKOLAJEWSKI, Assistant Secretary of Liberty Mutual Insurance Company, do hereby certify that the foregoing is a true, and correct statement of the Assets and Liabilities of said Corporation, as of December 31, 2014, to the best of my knowledge and belief.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Corporation at Seattle, Washington, this 20th day of March, 2015.

T. Mikolajewski

Assistant Secretary

COOK, YANCEY, KING & GALLOWAY

A PROFESSIONAL LAW CORPORATION

333 TEXAS STREET, SUITE 1700

POST OFFICE BOX 22260

SHREVEPORT, LOUISIANA 71120-2260

www.cookyancey.com

Jason B. Nichols

Writer's Direct

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jason.nichols@cookyancey.com

TELEPHONE (318) 221-6277

TELECOPIER (318) 227-7850

August 10, 2015

VIA HAND DELIVERY

Clerk of Court

United States District Judge

300 Fannin Street, Suite 4200

Shreveport, LA 71101-3059

RECEIVED
USDC, WESTERN DISTRICT OF LA
TONY R. MOORE, CLERK
SHREVEPORT, LOUISIANA
DATE 8 / 11 / 15
smd

**RE: Jeffrey Davis v. Union Pacific Railway Company
Docket No. 5:12-cv-02738; Western District of Louisiana**

Dear Clerk:

Enclosed please find the original Supersedeas Bond, along with a copy of the notice of confirmation ECF filing.

Respectfully yours,


Jason B. Nichols

JBN/sls

Enclosure

cc (via email delivery):

Brian Wadsworth

Charled Kiel Garella

Christopher Scott Suba

David A. Fraser

Jeff R. Dingwall

Linda C. Schoonmaker

Notices

5:12-cv-02738-DEW-MLH Davis v. Union Pacific Railroad Co **CASE CLOSED on 07/01/2015**

CLOSED

U.S. District Court

Western District of Louisiana

Notice of Electronic Filing

The following transaction was entered by Schoonmaker, Linda on 8/7/2015 at 12:25 PM CDT and filed on 8/7/2015

Case Name: Davis v. Union Pacific Railroad Co

Case Number: 5:12-cv-02738-DEW-MLH

Filer: Union Pacific Railroad Co

WARNING: CASE CLOSED on 07/01/2015

Document Number: 150

Docket Text:

NOTICE by Union Pacific Railroad Co of Supersedeas Bond re [140] Order, Terminate Motions,, (aty,Schoonmaker, Linda)

5:12-cv-02738-DEW-MLH Notice has been electronically mailed to:

Brian Wadsworth bawadsworth@seyfarth.com, cbaggett@seyfarth.com

Charles Kiel Garella kiel@GLjustice.com

Christopher Scott Suba chris@clary-associates.com, amy@clary-associates.com, jim@clary-associates.com

David A Fraser dfraser@fraser-law.com, dlandry@fraser-law.com, gabshire@fraser-law.com

Jason Blance Nichols jason.nichols@cookyancey.com, angela.rockwell@cookyancey.com, john.kalmbach@cookyancey.com, sheila.sansom@cookyancey.com

Jeff R Dingwall jeff@jrdingwall.com

Linda C Schoonmaker lschoonmaker@seyfarth.com, bmaxwell@seyfarth.com

Samuel W Caverlee sam.caverlee@cookyancey.com, cathy.mcgregor@cookyancey.com, veronica.morgan@cookyancey.com

5:12-cv-02738-DEW-MLH Notice will not be electronically mailed to:

The following document(s) are associated with this transaction:

Document description:Main Document

Original filename:n/a

Electronic document Stamp:

[STAMP dcecfStamp_ID=1045083339 [Date=8/7/2015] [FileNumber=3886166-0]

[a459665dd036fb6e0aff89fb33ae08fa8181900faf75d6eca6eaa35b6074d239e9b9

7fc1f3ae3435949f162011f73444623ca0d0294ec7310144367ce6ee7755]]